

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 08-20084

v.

Honorable Nancy G. Edmunds

THOMAS HOOKS,

Defendant.

/

ORDER DENYING DEFENDANT'S MOTION TO CORRECT SENTENCE [11]

This matter is before the Court on Defendant's motion to correct sentence filed on August 27, 2008, pursuant to Federal Rule of Criminal Procedure 35(a). (Dkt. 11.) According to Defendant, the Court stated at sentencing that restitution should be paid at the rate of \$25 per month, but the judgment states that it should be paid "at a rate recommended by probation officer and approved by the Court." Thus, Defendant requests the judgment be revised to reflect the rate stated by the Court at sentencing.

Rule 35(a) allows the Court to "correct a sentence that resulted from an arithmetical, technical, or other clear error." However, there is no such error here. Because the judgment sets forth that restitution is to be paid in monthly installments at a rate that must ultimately be approved by the Court, no revision is needed and Defendant's motion is DENIED.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: May 1, 2019

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 1, 2019, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager